

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Various Petitions for Rulemaking Seeking	)	<b>RM-10867</b>
Changes to the Commission's Part 97	)	<b>RM-10868</b>
Amateur Radio Service Rules	)	<b>RM-10869</b>
	)	<b>RM-10870</b>
To: The Commission	)	

**Via the ECFS**

**COMMENTS OF CARL R. STEVENSON, WK3C, IN RESPONSE TO THE PETITIONS  
FOR RULEMAKING IN RM-10867, RM-10868, RM-10869 AND RM-10870**

I, Carl R. Stevenson, WK3C, respectfully submit my comments on the Petitions for Rulemaking in the above-captioned Proceedings.

As a Commission-licensed Amateur Extra Class operator, a Commission-licensed amateur radio and commercial operator for over 27 years, and an RF engineer with over 33 years of experience, I am an interested party in these proceedings.

## **INTRODUCTION**

1. I was an active participant in WT Docket No. 98-143, wherein the Commission reduced the Morse code proficiency test requirement to the 5 wpm minimum that it believed would be compliant with unwaiveable obligations for Morse testing under the ITU Radio Regulations in effect at the time.
2. Shortly after WRC-03 eliminated the Morse code test requirement from S25.5 of the ITU Radio Regulations, No Code International (“NCI”), an international amateur radio organization which I serve in the capacity of Executive Director, filed a Petition for Rulemaking with the Commission, seeking the immediate elimination of all Morse test requirements from the Commission’s Part 97 rules governing the Amateur Radio Service (“ARS”). NCI’s petition was designated RM-10786 and is still pending before the Commission, along with a number of other petitions<sup>1</sup>, concerning changes to the U.S. Amateur Service rules as now permitted by the amendments to Article 25 (WRC-03) of the ITU Radio Regulations which took effect July 5, 2003.
3. In these comments, I will briefly address each of the current petitions.

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<sup>1</sup> RM-10781, RM-10782, RM-10783, RM-10784, RM-10785, RM-10786, RM-10787, RM-10805, RM-10806, RM-10807, RM-10808, RM-10809, RM-10810, RM-10811, RM-10867, RM-10868, RM-10869, and RM-10870

## **THE ARRL PETITION (RM-10867)**

4. The American Radio Relay League (“ARRL”) filed a Petition for Rulemaking (designated RM-10867 by the Commission), seeking some sweeping – and generally refreshingly progressive – changes to the Commission’s Part 97 ARS rules.
5. To its discredit ARRL did, however, propose to keep the existing 5 wpm Morse test requirement for the Extra class license.
6. I vigorously oppose the ARRL petition’s proposal to keep the existing 5 wpm Morse test requirement for the Extra class license.<sup>2</sup>
7. I firmly believe that NCI’s earlier-filed petition, RM-10786, made compelling arguments for the complete elimination of ALL Morse test requirements for ALL classes of ARS license issued by the Commission – arguments that are based in large part on the Commission’s own previous determinations that Morse test requirements serve no legitimate regulatory purpose, do not comport with the basis and purpose of the ARS, and are, therefore, not in the public interest.
8. However, within the remainder of the ARRL petition, I find other proposals that I believe have much merit and which I wish to support.
9. To elaborate, while I oppose the ARRL’s proposal to retain a Morse proficiency test as a requirement for the Amateur Extra Class license, I fully support ARRL’s proposals for:
  - the creation of a new Novice license with expanded HF privileges;
  - the reduction of the total number of license classes to 3 (Novice, General and Extra);
  - the proposed one-time automatic upgrade of Technician to General;
  - the proposed one-time automatic upgrade of Advanced to Extra;
  - and the ARRL’s proposed realignment of frequency privileges for its proposed new 3 license class structure.

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<sup>2</sup> It should be noted that, as an Extra class licensee myself, I have nothing personal to gain from taking this position and do it purely as a matter of conviction and principle.

## **THE NCVEC PETITION (RM-10870)**

10. The National Council of Volunteer Examiner Coordinators (“NCVEC”) has filed its own Petition for Rulemaking, (designated RM-10870) by the Commission), which, while substantially similar to the ARRL petition in many respects, has several notable differences, all but two of which I firmly oppose:

- The NCVEC petition proposes to eliminate all Morse testing requirements for all classes of amateur license issued by the Commission.
  - I fully support this aspect of the NCVEC petition.
- The NCVEC petition mandates “commercial only” transmitters for the new beginner class.
  - I strongly oppose this proposed requirement as being both totally unnecessary and unjustifiable and counter to the experimental aspects of the “Basis and Purpose” for the ARS, as outlined in Part 97.1 of the Commission’s rules.
- The NCVEC petition mandates only low voltage (under 30 volts) powered transmitters for the new beginner class.
  - I likewise strongly oppose this proposed requirement as being both totally unnecessary and unjustifiable.
  - Many tens of thousands of existing Commission ARS licensee – myself included – started with the “old novice” license class, which actually encouraged building and modifying equipment for use in the amateur bands – equipment that at the time was constructed with vacuum tubes and involved plate voltages FAR above the 30 volt limit proposed by the NCVEC.
  - The fact that I, and (virtually) everyone, else “survived our beginner’s ignorance” is, I believe, sufficient proof that this proposed requirement is totally absurd, unnecessary, and unjustifiable.
  - All that this proposed requirement would accomplish is foreclose new amateurs from the opportunity of obtaining their “first HF rig” as an inexpensive, yet perfectly serviceable, “hamfest special.”
  - Many of the most popular amateur rigs in history, like the venerable FT-101, TS-520/820, and many others, would, under the NCVEC proposal, be “off limits” to new amateurs for no legitimate or justifiable reason.

- The NCVEC petition suggests that a unique, never before used, call sign block be used as a means of identifying the beginner class.
  - I oppose this “suggestion” for the following reason:
    - In the past, newcomers were generally welcomed with open arms by the amateur community.
    - Unfortunately, over the past decades, an elitist attitude has developed with a sufficiently significant portion of today’s higher class licensees, to the extent that I have serious concerns that if new licensees are “branded with the mark of Cain,” that they will fall victim to malicious and unwarranted harassment.
    - It would be better in my opinion to simply assign new licensees sequential callsigns in the traditional “2x3” series in such a systematic way so they do not “have bull’s-eyes painted on their backs.”
- NCVEC recommends that all applicants for an Amateur license be required to certify that they have read and understand the FCC (Part 97) rules as part of the application process.
  - I have no fundamental objection to this requirement – *however, it should NOT be viewed as a replacement for reasonable testing on the basic rules and regulations as part of the examination requirement for licensure.*
- The NCVEC petition proposes expanding HF voice spectrum 1025 kHz (1.025 MHz) more than the ARRL petition and, conversely, reduces exclusive CW/Data HF spectrum by the same amount.
  - I strongly oppose this aspect of the NCVEC proposal.
  - The ARRL petition proposes a very modest expansion of the HF phone bands, through “refarming” of the essentially unused “Novice CW bands,” along with reasonable adjustments in HF operating privileges to accommodate each of its proposed three license classes, while still maintaining an incentive for licensees to learn and improve their skills in order to upgrade.
  - I believe that the extra 1.025 MHz of phone spectrum proposed by the NCVEC is not only unnecessary – the “phone bands” are NOT that “crowded by any reasonable standards, even on busy contest weekends – but I also believe that it would be counter-productive, in that it would allow spectrum that should be reserved for the experimentation with, development of, and expansion of new digital modes to be over-run by single sideband voice transmissions to the detriment of the future of the ARS.

**THE RADIO AMATEUR FOUNDATION PETITION (RM-10868) AND THE PETITION  
OF RONALD D. LOWRANCE (RM-10869)**

11. The Petitions for Rulemaking filed by the “Radio Amateur Foundation” (RM-10868) (“the RAF petition”) and Ronald D. Lowrance (RM-10869) (“the Lowrance petition”), unlike the ARRL petition and the NCVEC petition, are totally devoid of any progressive and beneficial proposals for restructuring of the Commission’s Part 97 ARS rules.

12. In fact, their major thrusts seem to be to either substantially maintain the status quo – or worse, to attempt to revise history and roll the calendar backwards – in ways that would clearly not serve the public interest or be in the best interest of the future of the ARS, and I therefore find them totally lacking any merit and believe they should therefore be summarily rejected.

## **SUMMARY AND CONCLUSIONS**

13. With the exception of its proposal to retain a Morse proficiency test as a requirement for the Extra class license, I find the proposals in the ARRL petition to be surprisingly progressive and, with that one exception – which I vehemently oppose – I support the ARRL petition fully.

14. The NCVEC petition, while similar in many respects to the ARRL petition, makes several proposals that I quite frankly cannot avoid categorizing as just plain stupid, ill-advised, unnecessary, and counter to the basis and purpose of the ARS.

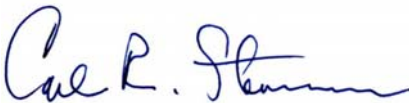
15. Therefore, with the exception of the NCVEC's proposal to eliminate ALL Morse testing requirements, and its proposal to require applicants for an amateur license to certify that they have a copy of, have studied, and understand the requirements of the Commission's Part 97 ARS rules (but not as a substitute for sufficient rules and regulations questions on an examination), I oppose those aspects of the NCVEC petition that differ from the ARRL petition.

16. I strongly oppose both the RAF and Lowrance petitions and believe that they should be summarily denied as regressive, rather than progressive, and counter to the public interest.

17. I sincerely hope that a truly comprehensive NPRM will be expeditiously forthcoming from the Commission that will provide an opportunity for further comment on these differences and that the Commission will act swiftly to:

- eliminate unnecessary Morse testing requirements from its Part 97 ARS rules,;
- undertake to create a new entry class of license with meaningful frequency privileges in the HF bands;
- and eliminate "orphaned" license classes from its books by means of the one-time automatic upgrades of existing Technician and Advanced licensees as proposed by the ARRL petition.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Carl R. Stevenson".

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